Department of Energy
Ohio Field Office
West Valley Demonstration Project
10282 Rock Springs Road
West Valley, NY 14171-9799

December 28, 2004

Mr. Russell A. Mellor, President/Project Director
West Valley Nuclear Services Company
10282 Rock Springs Road
West Valley, NY 14171-9799

ATTENTION: W. M. Wierzbicki, Environmental Affairs Manager, WV-51

SUBJECT: Environmental Checklist OH-WVDP-2004-04, "Facility Upgrades and Operations to Support Characterization, Sorting, and Packaging of Low-Level Radioactive Waste (LLW)"

REFERENCE: Letter WD:2004:0587 (93411), W. M. Wierzbicki to T. J. Jackson, "Environmental Checklist OH-WVDP-2004-04, "Facility Upgrades and Operations to Support Characterization, Sorting, and Packaging of Low-Level Radioactive Waste (LLW)," dated December 16, 2004

Dear Sir:

I have reviewed the subject Environmental Checklist and agree that the actions described therein are within the scope of the West Valley Demonstration Project 1982 Final EIS (WVDP-EIS-25 as confirmed by the 1998 Supplement Analysis (WVDP-321).

Enclosed is a signed environmental checklist form.

The contents of this correspondence are not intended to impact or modify contract scope and/or cost. If you have any questions, please contact Daniel Sullivan on Extension 4016.

Sincerely,

for Daniel W. Sullivan
T. J. Jackson, Acting Director
West Valley Demonstration Project

Enclosure: Environmental Checklist Form

cc: J. J. Hoch, WVNSCO, WV-51, w/enc.

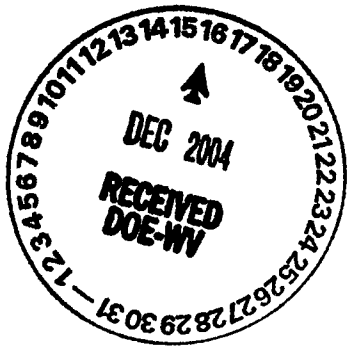
DWS:93427 - 451.2

DWS/mls

T.H./DWS *

WVNSCO
West Valley Nuclear Services Company

10282 Rock Springs Road
West Valley, New York USA 14171-9799
Phone: (716) 942-2091/Fax: (716) 942-4117



Mr. T. J. Jackson, Acting Director
U. S. Department of Energy
West Valley Demonstration Project
10282 Rock Springs Road
West Valley, NY 14171-9799

ATTENTION: D. W. Sullivan

WV-51
WD:2004:0587
December 16, 2004

Dear Mr. Jackson:

SUBJECT: Environmental Checklist OH-WVDP-2004-04, "Facility Upgrades and Operations to Support Characterization, Sorting, and Packaging of Low-Level Radioactive Waste (LLW)"

REFERENCES:
1) WV-986, West Valley Nuclear Services Company, "Environmental Review Program," Revision 12, dated June 26, 2003

2) OH-6.1.01, U.S. Department of Energy, Ohio Field Office, Standard Operating Procedure, "National Environmental Policy Act Compliance," Revision 1, dated July 7, 1995

Attached for your review is Environmental Checklist OH-WVDP-2004-04, "Facility Upgrades and Operations to Support Characterization, Sorting, and Packaging of Low-Level Radioactive Waste (LLW)" (Attachment A). The checklist has undergone environmental review in accordance with the West Valley Nuclear Services Company (WVNSCO) Environmental Review Program (Reference 1). This proposed action entails modifications to the interior of existing facilities to install temporary containment enclosures and equipment for the purpose of characterizing, sorting, and packaging of LLW.

The proposed action is within the scope of existing NEPA documentation. The characterization, sorting, and packaging of LLW is related to the scope of actions documented in the 1982 Final Environmental Impact Statement for Long-Term Management of Liquid High-Level Radioactive Wastes at the Western New York Services Center (DOE/EIS-0081), the Supplement Analysis of Environmental Impacts Resulting from Modifications in the West Valley Demonstration Project 1982 Final EIS (WVDP-EIS-25), and the 1998 Supplement Analysis (WVDP-321). These documents include impact analysis for the modification and/or construction of facilities to support the management and interim storage of wastes. WVNSCO believes that these existing NEPA documents provide sufficient coverage for this proposed action and that the action requires no additional NEPA documentation.

If you concur with this recommendation, please sign the attached Environmental Checklist, Section *D. RECOMMENDATION AND DETERMINATION.* If you have any comments or questions regarding the checklist, please contact J. J. Hoch of my staff at extension 2409.

EOS/BNM3682.JJH

93411

Very truly yours,

WEST VALLEY NUCLEAR SERVICES COMPANY

Signature on File in Records

W. M. Wierzbicki, Manager
Environmental Affairs

IB:2004:0175

WMW:JJH:bnm

Attachment: Environmental Checklist OH-WVDP-2004-04, "Facility Upgrades and Operations to Support Characterization, Sorting, and Packaging of Low-Level Radioactive Waste (LLW)"

IB:2004:0175 WD:2004:0587

bcc:	J. P. Bleech	WV-51
	J. P. Curcio	WV-205
	J. R. Gerber	WV-51
	J. J. Hoch	WV-51
	D. P. Klenk	WV-51
	S. A. MacVean	WV-B1B
	K. A. Malone	WV-48
	J. Paul	WV-53
	L. E. Rowell	WV-B1A
	K. E. Sanders	WV-DEPO
	A. K. Shukla	WV-51
	D. E. Steffen	WV-07
	D. R. Westcott	WV-48
	S. M. Westcott	WV-DEPO
	W. M. Wierzbicki	WV-51
	EA File # 13.1	WV-51
	IB Letter Log	WV-51

EOS/BNM3682.JJH

CORRESPONDENCE CONTROL SHEET
(Printed on Pink Paper)

1. **CORRESPONDENCE CODE:** WD : 2004 : 0587 2. **DATE:** 12/1/04

3. **SUBJECT:** Environmental Checklist OH-WVDP-2004-04, "Facility Upgrades and Operations to Support Characterization, Sorting, and Packaging of Low-Level Radioactive Waste (LLW)

4. **ADDITIONAL INSTRUCTIONS AND/OR COMMENTS:**

5. **DOES THIS CORRESPONDENCE REQUIRE AN ACTION RESPONSE?**

[X] NO
[ ] YES DATE: _____ ACTION NO.: _____

6. **DOES THIS CORRESPONDENCE RESPOND TO ANY DOE OR REGULATOR CORRESPONDENCE?**

[X] NO
[ ] YES, DOE IDENTIFICATION NUMBER: _____

COMPLETES ACTION NO.: _____

7. **DOES THIS CORRESPONDENCE RESPOND TO ANY WVNS CORRESPONDENCE?**

[X] NO
[ ] YES, CORRESPONDENCE CODE: _____

COMPLETES ACTION NO.: _____

8. **DOES THIS CORRESPONDENCE COMMIT WVNSCO TO AN ACTION OR COMMIT FUNDS?**

[X] NO If yes, correspondence must be reviewed by the WVNSCO President, Executive Vice
[ ] YES President or CFO and approved by Cognizant Senior Advisory Team member.

9. **REVIEW - RESPONSE REQUIRED BY:** **December 3, 2004**

MS	Reviewer	Signature	Date	Concur	Concur W/Comments	Nonconcur
WV-51	W. Wierzbicki	*Signature on File in Records*	12/03/04	[ ]	[X]	[ ]
WV-48	D. R. Westcott	*Signature on File in Records*	12/01/04	[X]	[ ]	[ ]
WV-51	J. R. Gerber	*Signature on File in Records*	12/03/04	[ ]	[X]	[ ]
WV-53	J. Paul	*Signature on File in Records*	12/01/04	[X]	[ ]	[ ]
WV-DEP0	K. E. Sanders	*Signature on File in Records*	12/02/04	[X]	[ ]	[ ]
WV-B1A	L. E. Rowell	*Signature on File in Records*	12/07/04	[ ]	[ ]	[X]
WV-DEPO	S. M. Westcott	*Signature on File in Records*	12/07/04	[ ]	[X]	[ ]
WV-B1B	S. A. MacVean	*Signature on File in Records*	12/07/04	[ ]	[X]	[ ]

Reviewer initial & date indicating approval from original nonconcur: LER *Initials* 12/14/04 *Date*

Department of Energy (DOE)
Ohio Field Office, West Valley Demonstration Project (OH/WVDP)

ENVIRONMENTAL CHECKLIST

Project/Activity Title: Facility Upgrades and Operations to Support Characterization, Sorting, and Packaging of Low-Level Radioactive Waste (LLW)	**NEPA ID Number:** OH-WVDP-2004-04	**Rev. #:** 0	**Date:** 12/16/2004
Contractor Project Manager: S. A. MacVean	**Phone Number:** (716) 942-4328		
Contractor NEPA Coordinator: Jerald J. Hoch	**Phone Number:** (716) 942-2409		
OH/WVDP NEPA Document Manager: Daniel W. Sullivan	**Phone Number:** (716) 942-4016		

A. BRIEF PROJECT/ACTIVITY DESCRIPTION: Attach a detailed description or statement of work.

B. SOURCES OF IMPACT: Would the action involve, generate, or result in changes to any of the following?

	YES	NO		YES	NO
1. Air Emissions	X		12. Water Use/Diversion		X
2. Liquid Effluents	X		13. Water Treatment	X	
3. Solid Waste	X		14. Water Course Modification		X
4. Radioactive Waste/Soil	X		15. Radiation/Toxic Chemical Exposures	X	
5. Hazardous Waste		X	16. Pesticide/Herbicide Use		X
6. Mixed Waste	X		17. High Energy Source/Explosives		X
7. Chemical Storage/Use	X		18. Transportation	X	
8. Petroleum Storage/Use		X	19. Noise Level	X	
9. Asbestos	X		20. Workforce Adjustment		X
10. Utilities	X		21. Other		X
11. Clearing or Excavation		X			

In an attachment, qualify and explain each question that you have specifically answered "YES."

C. CATEGORY EVALUATION CRITERIA: Would the proposed action:

	YES	NO
1. Take place in an area of previous or ongoing disturbance?	X	
2. Create hazardous, radioactive or mixed waste for which no disposal is available?		X
3. Impact a RCRA-regulated unit or facility?	X	
4. Force a low income or ethnic minority population to shoulder a disproportionate share of the negative environmental impacts of pollution or environmental hazards because of a lack of political or economic strength?		X
5. Involve air emissions and be located in an air pollutant non-attainment or maintenance area for any criteria pollutants?		X
6. Threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, including DOE and/or Executive Orders? (i.e., require any federal, state or local permits, approvals, etc.)?		X
7. Disturb hazardous substances, pollutants or contaminants that pre-exist in the environment such that there would be uncontrolled or unpermitted releases?		X
8. Require siting, construction, or major expansion of a waste storage, disposal, recovery, or treatment facilities, including such categorically-excluded facilities?		X
9. Adversely affect environmentally sensitive resources including, but not limited to: structures of archeological, historic or architectural significance; threatened or endangered species or their habitat; floodplains or wetlands; wildlife refuges, agricultural lands or vital water resources(e.g., sole-source aquifers)?		X
10. Involve extraordinary circumstances? As specified at 10 CFR § 1021.410(b)(2), extraordinary circumstances are unique situations presented by specific proposed actions, such as scientific controversy about the environmental effects of the action, uncertain effects or effects involving unique or unknown risks, or unresolved conflicts concerning alternate uses of available resources within the meaning of Section 102(2)(E) of NEPA [42 U.S.C. 4332(2)].		X
11. Be "connected" to other actions with potentially significant impacts, related to other proposed actions with cumulatively significant impacts, and precluded by 40 CFR § 1506.1 or 10 CFR § 1021.211?		X

In an attachment, qualify and explain each question that you have specifically answered "YES."

U.S. Department of Energy (DOE)
Ohio Field Office, West Valley Demonstration Project (OH/WVDP)

ENVIRONMENTAL CHECKLIST

D. RECOMMENDATION AND DETERMINATION

DOE OH/WVDP Director's Recommendation: I find and recommend that this proposed action meets the criteria specified in 10 CFR § 1021, Subpart D, and/or DOE Policy and Guidance for the following:

[ ] Categorical Exclusions (Appendix B, Class of Action_____)
[X] Actions Within the Scope of Existing NEPA Documentation
(NEPA Document ID Number DOE/EIS-0081)
[ ] *On-going Operations* (Standard Operating Procedure OH-6.1.01, Rev. 1, Section 5.2)

Signature: _____ Date 12/28/2004
Director, Ohio Field Office,
West Valley Demonstration Project (OH/WVDP),
Department of Energy

DOE OH/WVDP NEPA Compliance Officer's Determination: Based on my review of the attached information concerning this proposed action, as the OH/WVDP NEPA Compliance Officer (DOE Order 451.1A, Section 5.d.), I have determined that the proposed action fits within the specified class of actions, that the other regulatory requirements identified in Section C are met, and that this proposed action proceed without further NEPA review.

Signature: _____ Date 12/17/2004
OH/WVDP NEPA Compliance Officer,
West Valley Demonstration Project

OR

[ ] Environmental Assessments (Appendix C, Class of Action _____; or Action not listed in Subpart D)
[ ] Environmental Impact Statements (Appendix D, Class of Action _____)
[ ] Interim Actions (40 CFR § 1506.1 and 10 CFR § 1021.211)
[ ] Integrated Documentation for CERCLA/RCRA Actions
[ ] Variances (Emergency Action, 40 CFR § 1506.11 and 10 CFR § 1021.343)

DOE-OH NEPA Compliance Officer's Concurrence: I concur with the recommendation that this proposed action fits within the specified class of actions.

Signature: _____ Date _____
NEPA Compliance Officer,
Ohio Field Office,
Department of Energy

DOE-OH Manager's Determination: Based on my review of the attached information concerning this proposed action, as the Head of the Ohio Field Office (DOE Order 451.1A, Section 5.a.), I have determined that the level of documentation recommended for the proposed action is appropriate.

Signature: _____ Date _____
Manager, Ohio Field Office,
Department of Energy

Attachment to Environmental Checklist OH-WVDP-2004-04

Facility Upgrades and Operations to Support Characterization, Sorting, and Packaging of Low-Level Radioactive Waste (LLW)

SECTION A. BRIEF PROJECT/ACTIVITY DESCRIPTION:

BACKGROUND

From 1966 to 1972, Nuclear Fuel Services, Inc. (NFS), operated a nuclear fuel reprocessing plant at the Western New York Nuclear Service Center (WNYNSC) near West Valley, New York . The plant, which reclaimed uranium and plutonium from spent nuclear fuel, generated approximately 600,000 gallons of liquid high-level radioactive waste (HLW), which was stored in underground tanks.

In 1980, Congress passed the West Valley Demonstration Project (WVDP) Act, which directed the U. S. Department of Energy (DOE) to do the following: (1) solidify the HLW at the WNYNSC in a form suitable for transportation and disposal; (2) develop containers for the HLW that are suitable for permanent disposal; (3) transport the solidified HLW, in accordance with applicable provisions of law, to an appropriate Federal repository for permanent disposal; (4) in accordance with applicable licensing requirements, dispose of low-level radioactive waste (LLW) and transuranic (TRU) waste produced as a result of solidifying the HLW; and (5) decontaminate and decommission – (a) the tanks and other facilities of the WNYNSC in which the HLW solidified under the Project is stored; (b) the facilities used in the solidification of the waste; and (c) any material and hardware used in connection with the Project, in accordance with requirements that the Nuclear Regulatory Commission (NRC) prescribes (Public Law 96-368).

In 1982, a Final Environmental Impact Statement (EIS) and associated Record of Decision (ROD) were issued for the actions that DOE proposed to satisfy the first two requirements of the WVDP Act (DOE/EIS-0081). During the first phase of the WVDP, which was completed in September 2002, the HLW was immobilized in borosilicate glass through vitrification. The canisters of immobilized HLW are currently being stored on-site until DOE authorizes their removal. In 1993 and 1998, the DOE prepared Supplement Analyses of the 1982 Final EIS to re-examine on-going HLW solidification activities as well as other refinements to the actions originally evaluated in the EIS (DOE-EIS-025 and WVDP-321, respectively). As a result of both analyses, DOE concluded that no environmentally relevant or substantial changes in Project scope had occurred, that no new circumstances or relevant information existed, and that the environmental analyses performed for the 1982 EIS were still valid.

2.0 TYPE AND SCOPE OF ACTIVITY

The scope of the project is to upgrade and operate existing facilities to sample, characterize, inspect for prohibited items, segregate, and repackage for eventual shipment of existing LLW and Mixed LLW (MLLW) in storage at the WVDP along with LLW and MLLW generated during the performance of this project. The activities described below are currently performed at the WVDP in various areas such as the Container Sorting and Packaging Facility (CSPF), the Waste Reduction and Packaging Area (WRPA), and the Contact Size Reduction Facility (CSRF). The activities of this proposed action are to upgrade existing facilities to perform these routine tasks.

The LLW to be inspected are currently packaged in boxes and drums and includes, but is not limited to: general debris (PPE, metal, wood, plastic, glass, building materials); sludges and spent ion exchange resins, previously solidified waste forms, asbestos-containing materials, dirt, spent ventilation filters, miscellaneous liquids, oil-contaminated materials, and possibly MLLW.

Characterization will entail collecting representative samples and performing radiological and chemical analysis both on-site and off-site. Off-site analysis requires that the samples be shipped in accordance with DOT requirements. Characterization would also include radiological measurements using instrumentation currently in use at the WVDP.

The waste would be prepared for shipment to off-site treatment and/or disposal facilities by confirming that the wastes meet the acceptance requirements of these facilities. The wastes would be inspected for prohibited items such as free liquids (i.e., water), aerosol containers, or hazardous materials and, if necessary, these prohibited items would be segregated from these containers and repackaged. This project would include opening and inspecting the waste containers, minor waste "modifications" such as adding absorbent materials, removing the wastes from the current containers and sorting and repackaging it, and treating the waste on-site (e.g., dewatering, solidification). The processing of LLW and MLLW is included in the scope of this project. PCB items could also be encountered

Once processed, the packaged LLW and MLLW will be staged at various approved locations to facilitate its shipment off-site to the disposal facilities.

Equipment needed to perform these activities may include drum/box tipper fixtures, box/drum inspection/sorting/repackaging stations, container conveyor systems, foaming stations, glove boxes, equipment/tools for picking up and manipulating the waste pieces, mixers, dewatering pumps, cutting equipment, coring equipment, drum crushers, compactors, weigh scales, and forktrucks. Temporary containment structures may be erected inside existing facilities or as stand-alone facilities to perform the handling

activities, and would be ventilated as necessary utilizing portable ventilation units (PVUs) equipped with HEPA filtration in accordance with existing site procedures, or otherwise connected to existing ventilation systems. Other utilities would also be supplied as necessary (e.g., electrical, breathing air, steam, hydraulics, and utility water.)

Existing facilities that will be upgraded to perform the above activities include, but are not limited to: the Shipping Depot, Lag Storage Area 4, LLW2, FRS, GCRE, SRR and extension, LAG Storage Building (Supercompactor area), and 01-14 building.

MLLW will be managed in RCRA interim status units.

3.0 PURPOSE AND NEED

LLW containers are segregated and sorted at the WVDP for the purpose of classification, characterization, packaging/repackaging, and consolidation. In addition, all waste must meet the waste acceptance criteria of the receiving waste disposal/treatment facility. Before a radioactive waste container can be transported, they must also meet the packaging requirements for radioactive materials set forth in 49 CFR 173.401, "Subpart I - Class 7 (Radioactive Materials)," and 10 CFR 71, "Packaging and Transport of Radioactive Materials." If the wastes are MLLW, they will be required to be prepared for eventual shipment following applicable regulatory requirements.

4.0 SCHEDULE/TIMING

Upgrades to the existing facilities are scheduled to begin in January 2005. Operations will continue through 2005.

SECTION B. SOURCES OF IMPACT

1. **Air Emissions:** Radioactive air emissions at DOE facilities are regulated in New York State by the U. S. Environmental Protection Agency (EPA) pursuant to 40 CFR Part 61, "National Emission Standards for Hazardous Air Pollutants" (NESHAP), Subpart H. Similarly, nonradioactive emissions are regulated by the NYSDEC pursuant to 6 NYCRR Part 201. Prior to the construction of the temporary containment enclosures, the need for a modification to the existing site air permits would be determined. The enclosures would be equipped with HEPA filtered ventilation, or would be otherwise connected to existing ventilation systems. Should PVUs be employed in these enclosures, the existing site permit for use of the PVUs would apply. The potential facility emissions to be generated during the sorting activities will be assessed to determine and/or confirm permitting and monitoring requirements.

   The operation of diesel-powered waste transport vehicles, such as forklifts and trucks, would generate minor carbon monoxide and carbon dioxide emissions during the loading, unloading, and transportation of containers.

2. **Liquid Effluents:** Liquid effluents would be generated through the dewatering of resins currently packaged in boxes and drums. Existing site procedure SOP 02-17, "LLW2 Packaging Room Operations" would be utilized to control this activity. Existing containers of waste sludges may also require dewatering. In addition, rinsing of empty containers and decontamination activities would generate approximately 5,000 gallons of waste water for the total project. Liquids will be managed in accordance with work documents or existing procedures (e.g., SOP 300-15, "Disposition of Liquid Waste to the Interceptor") that are approved by Environmental Affairs. No physical alteration of process or storm sewer systems are planned for this project. Also refer to **Section B13 - Water Treatment** for additional requirements.

3. **Solid Waste:** Solid waste anticipated as a result of the proposed action would consist of construction debris (e.g., concrete, metal, wood, plastic, and paper). These wastes will be managed for disposal, as specified in Standard Operating Procedure (SOP) 09-12, "Solid Waste Management and Material Reuse and Recycling."

4. **Radioactive Waste/Soil:** The amount of radioactive waste generated (e.g., anti-Cs, gloves, wipes, swipes, unusable empty containers, and air filters) as a result of this activity would be minimal in relation to the amount of existing waste to be processed through these facilities. Radioactive waste generated as a result of these activities will be packaged and managed in accordance with SOP 300-07, "Waste Generation, Packaging, and On-Site Transportation." Cloth anti-C clothing will be used to the greatest extent possible because it can be laundered and subsequently reused to reduce waste generation. The collection and management of spilled waste will be handled in accordance with existing site procedures. No new generation of waste soil is expected as part of the proposed project.

6. **Mixed Waste:** Containers with known MLLW will be managed in RCRA interim status units. MLLW generated during the sorting of a LLW container would be segregated and managed in a 90-day storage area, Satellite Accumulation Area (SAA), and/or moved directly to a RCRA interim status facility.

7. **Chemical Storage/Use:** Foaming agents may be utilized to package containers for shipment. All chemicals will be tracked to meet SARA reporting requirements in accordance with existing site procedures.

9. **Asbestos:** No intentional disturbance of asbestos is anticipated in the proposed activity. Asbestos containing material (ACM) is known to be present in some of the containers to be inspected for prohibited items (e.g. water). The majority of ACM is non-friable roofing materials. The individual bags within the boxes and drums would have to be examined and may have to be opened to add additional approved absorbent if water is observed. If during the process asbestos is incidentally disturbed, it will be managed by NYSDOL asbestos handler certified operators utilizing an approved WVNSCO variance to respond to asbestos spills.

10. **Utilities:** Existing utility lines would be extended to the enclosures to provide electric power.

13. **Water Treatment:** Liquid wastestreams generated as a result of the proposed action **(See Section B2 - Liquid Effluents)** would be characterized as necessary to assure compliance with the NYSDEC State Pollutant Discharge Elimination System (SPDES) permit in accordance with WVDP-287, "Data Collection Plan for Characterization of the State Pollutant Discharge Elimination System Source Waste Streams,"SOP 300-07, "Waste Generation, Packaging, and On-Site Transportation," and SOP 300-15, "Disposition of Liquid Waste to the Interceptor." Any on-site liquid waste disposal would be performed in accordance with NYSDEC SPDES permit requirements.

15. **Radiation/Toxic Chemical Exposure:** Although individual exposures would depend upon the duration of time spent in the containment enclosure, the activity of the source material, and the proximity of operators to the radioactive wastes, all exposures would be maintained as low as reasonably achievable (ALARA) and in compliance with State and Federal regulations and DOE Orders, as implemented by WVDP-010, "Radiological Controls Manual." Worker exposure is limited by guidance provided in the WVDP Radiological Controls Manual, WVDP Industrial Hygiene and Safety Manual (WVDP-011), and SOP 15-14, "Entry Into and Exit From Contaminated Areas." The individual dose to operators would not exceed the administrative control limit of 100 mrem/day and 500 mrem/year (WVDP-010). In addition, the Radiological Controls Manual also requires that the contact dose rate for waste containers be less than 200 mrem/hour. Chemical exposure to site personnel is assessed and monitored in accordance with the "Industrial Hygiene and Safety Exposure Assessment and Monitoring Plan" (WVDP-215) and "WVDP Industrial Hygiene and Safety Manual" (WVDP-011).

18. **Transportation:** Waste containers will be transported on-site in accordance with SOP 300-07. Before any radioactive waste container would be transported off-site, it would have to meet the packaging requirements for radioactive materials set forth in 49 CFR Part 173, "Subpart I - Class 7 (Radioactive) Materials," and 10 CFR Part 71 "Packaging and Transport of Radioactive Material." All waste shipments will be classified, packaged, marked, labeled, and placarded in accordance with requirements for shipments specified in 49 CFR Parts100–177, "Transportation," and 6 NYCRR Part 381, "Transporters of Low-Level Radioactive Waste."

19. **Noise Level:** There would be an increase in noise levels typical of this type of equipment (e.g., portable ventilation units, electric hoists, forktrucks, etc.). Noise levels are not anticipated to exceed 80 dBA. Applicable federal and state regulations, and DOE orders, as implemented by contractor safety procedures would be observed during the work.

SECTION C. CATEGORY EVALUATION CRITERIA

1. Take place in an area of previous ongoing disturbance?

The proposed activities will take place in various existing facilities which have been used for similar handling of various types of LLW.

3. Impact a RCRA-regulated unit or facility?

The proposed activities will take place in various existing RCRA-regulated units and/or non-RCRA regulated facilities. Should additional Solid Waste Management Units (SWMUs) need to be established, evaluation for proper notifications to OH/WVDP and NYSDEC will be made. Legacy containers known to be MLLW will be managed in RCRA interim status units.

SECTION D. RECOMMENDATION AND DETERMINATION

The facility upgrades and operations to support characterization, sorting, and packaging of LLW is within the scope of the existing NEPA documentation, including SOP OH-6.1.01, "National Environmental Policy Act Compliance." The characterization, sorting, and packaging of LLW is related to the scope of actions documented in the 1982 Final Environmental Impact Statement for Long-Term Management of Liquid High-Level Radioactive Wastes at the Western New York Services Center (DOE/EIS-0081), the Supplement Analysis of Environmental Impacts Resulting from Modifications in the West Valley Demonstration Project 1982 Final EIS (WVDP-EIS-25), and the 1998 Supplement Analysis (WVDP-321). These documents include impact analysis for the modification and/or construction of facilities to support the management and interim storage of wastes. Consequently, it is recommended that these NEPA documents provide sufficient coverage for this proposed action, and that the action requires no additional NEPA documentation.

Attachment to Environmental Checklist OH-WVDP-2004-04

Facility Upgrades and Operations to Support Characterization, Sorting, and Packaging of Low-Level Radioactive Waste (LLW)

SUPPORTING DOCUMENTS

DOE and NYSERDA	"Cooperative Agreement between United States Department of Energy and New York State Energy Research and Development Authority on the Western New York Nuclear Service Center at West Valley, New York," effective October 1, 1980, as amended September 18, 1981
DOE-EIS-025	U. S. Department of Energy, "Supplement Analysis of Environmental Impacts Resulting from Modifications in the West Valley Demonstration Project," dated September 7, 1993
DOE/EIS-0081	U.S. Department of Energy, "Final Environmental Impact Statement: Long-Term Management of Liquid High-Level Radioactive Wastes Stored at the Western New York Nuclear Services Center, West Valley," dated June 1982
DOE/EIS-0337-D	U. S. Department of Energy, "West Valley Demonstration Project Waste Management," dated April 2003
DOE Order 435.1	U. S. Department of Energy, "Radioactive Waste Management," dated August 28, 2001
DOE Order 451.1B	U. S. Department of Energy, "National Environmental Policy Act Compliance Program," dated September, 2001
10 CFR Part 71	Nuclear Regulatory Commission, "Packaging and Transport of Radioactive Materials," dated January 1, 2004
10 CFR Part 1021	U. S. Department of Energy, "National Environmental Policy Act Implementing Procedures; Final Rule," dated January 1, 2004
40 CFR 61 Subpart H	U.S. Environmental Protection Agency, "National Emission Standard for Emissions of Radionuclides Other Than Radon From Department of Energy Facilities," as amended, dated July 1, 2004
40 CFR Parts 1500 -1508	U. S. Council on Environmental Quality, "Council on Environmental Quality Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act," dated July 1, 2004

Attachment to Environmental Checklist OH-WVDP-2004-04
Facility Upgrades and Operations to Support Characterization, Sorting, and Packaging of Low-Level Radioactive Waste (LLW)

49 CFR 173.401	U.S. Department of Transportation, Subpart I, "Class 7 - (Radioactive) Materials," dated October 1, 2003
42 U.S.C. 4321 *et seq.*	U.S. Congress, National Environmental Policy Act, as Amended, dated January 1, 1970
Public Law 96-368	U.S. Congress, West Valley Demonstration Project Act (S.2443), dated October 1, 1980
6 NYCRR Part 201	Permits and Certificates
6 NYCRR Part 370	Hazardous Waste Management System - General
6 NYCRR Part 373	Hazardous Waste Management Facilities
6 NYCRR Part 381	Transporters of Low-Level Radioactive Waste
12 NYCRR Part 56	State of New York, Department of Labor, "Asbestos," as amended, November 9, 1994
SOP OH-6.1.01	Ohio Field Office, "National Environmental Policy Act Compliance," revision 1, dated July 7, 1995
WV-227	West Valley Demonstration Project, "Planning for Waste Treatment, Storage and Disposal," revision 6, dated July 7, 2004
WVDP-010	West Valley Demonstration Project, "Radiological Controls Manual," revision 21, dated August 11, 2004
WVDP-011	West Valley Demonstration Project, "WVDP Industrial Hygiene and Safety Manual," revision 19, dated October 28, 2004
WVDP-072	West Valley Nuclear Services Company, "Asbestos Management Plan," revision 5, FC2, dated December 6, 2002
WVDP-215	West Valley Nuclear Services Company, "Industrial Hygiene and Safety Exposure Assessment and Monitoring Plan," revision 2, dated July 17, 2002
WVDP-238	West Valley Nuclear Services Company, "Low-level Radioactive Waste Classification Program Plan," revision 0, dated August 2, 1996

Attachment to Environmental Checklist OH-WVDP-2004-04

Facility Upgrades and Operations to Support Characterization, Sorting, and Packaging of Low-Level Radioactive Waste (LLW)

WVDP-287	West Valley Nuclear Services Company, "Data Collection Plan for Characterization of the State Pollutant Discharge Elimination System Source Waste Streams," revision 0, FC1, dated February 11, 1998
WVDP-321	West Valley Demonstration Project, "DOE/EIS-0081 Supplement Analysis II of Environmental Impacts Resulting from Modifications in the West Valley Demonstration Project," dated July 16, 1998
SOP 02-17	West Valley Nuclear Services Company, "LLW2 Packaging Room Operations," revision 9, dated June 28, 2004
SOP 09-12	West Valley Nuclear Services Company, "Solid Waste Management and Material Reuse and Recycling," revision 5, dated May 9, 2002
SOP 15-14	West Valley Nuclear Services Company, "Entry Into and Exit From Contaminated Areas," revision 18, dated May 24, 2004
SOP 15-44	West Valley Nuclear Services Company, "Asbestos Removal - Minor Projects," revision 6, dated May 21, 2002
SOP 300-07	West Valley Nuclear Services Company, "Waste Generation, Packaging, and On-Site Transportation," revision 27, dated October 19, 2004
SOP 300-15	West Valley Nuclear Services Company,"Disposition of Liquid Waste to the Interceptor," revision 6, dated May 5, 2003